

### **REMARKS**

By this Amendment, Applicant has canceled claims 21-23, 26-37, and 55 without prejudice or disclaimer and has amended claims 16 and 20. No new matter has been added. Claims 1, 3, 5-9, 11, 12, 16-20, 38, 40-53, and 56 are pending on the merits.

Applicant appreciates the Examiner's allowance of claims 1, 3, 5-9, 11, 12, 18, 19, 38, 40-53, and 56. For at least the reasons outlined herein, the present application is in condition for allowance.

#### **I. Objection to Claims 16, 17, and 20**

Claims 16, 17, and 20 were objected to as being in improper dependent form as failing to further limit the subject matter recited in the claim on which the dependent claims depend. Office Action at 2. In particular, the claim objection asserts that independent claim 1 "defines the shape factor being up to 49, however, claims 16-17 and 20 define the shape factor being up to about 49," and further, that "'about' permits some tolerance." Id.

By this Amendment, Applicant has deleted "about" immediately prior to "49" from claims 16 and 20. However, claim 17 does not recite "about 49," and thus, Applicant has not amended claim 17. Rather, claim 17 recites, in pertinent part, "from about 40 to 49." Thus, "about" modifies 40, but not 49. For this reason, Applicant respectfully submits that claim 17 is in proper dependent form.

For the reasons outlined above, Applicant respectfully submits that claims 16, 17, and 20 are in proper dependent form. Therefore, Applicant respectfully requests reconsideration and withdrawal of the objection to claims 16, 17, and 20.

**II. Claim Rejection under 35 U.S.C. § 103(a) based on Golley**

Claims 21-23, 26-36, and 55 were rejected under § 103(a) based on PCT Application Publication No. WO 00/59840 to Golley et al. ("Golley"). Office Action at 3. For at least the reasons presented in Applicant's Amendment After Final filed September 8, 2009, Applicant believes this claim rejection is improper and should be withdrawn. However, in an effort to expedite issuance of a Notice of Allowance for this application, Applicant has canceled claims 21-23, 26-36, and 55 without prejudice or disclaimer. For at least this reason, the § 103(a) claim rejection based on Golley should be withdrawn.

**III. Claim Rejection under § 103(a) based on Golley and Arrington-Webb**

Claim 37 was rejected under 35 U.S.C. § 103(a) based on Golley in combination with U.S. Patent No. 6,186,335 to Arrington-Webb et al. ("Arrington-Webb"). Id. at 5. For at least the reasons presented in Applicant's Amendment After Final filed September 8, 2009, Applicant believes this claim rejection is improper and should be withdrawn. However, in an effort to expedite issuance of a Notice of Allowance for this application, Applicant has canceled claim 37 without prejudice or disclaimer. For at least this reason, the § 103(a) claim rejection based on Golley in combination with Arrington-Webb should be withdrawn.

**III. Conclusion**

For at least the reasons outlined above, claims 16, 17, and 20 are in proper dependent form. Moreover, claims 16, 17, and 20 have not been rejected, and they

depend from allowed independent claim 1. For at least these reasons, claims 16, 17, and 20 should be allowed. The remaining pending claims, in particular, claims 1, 3, 5-9, 11, 12, 18, 19, 38, 40-53, and 56, have been allowed. Therefore, Applicant respectfully requests reconsideration of the application, withdrawal of the claim objection and rejections, and timely allowance of all of pending claims 1, 3, 5-9, 11, 12, 16-20, 38, 40-53, and 56.

If the Examiner believes that a conversation might advance prosecution of this application, the Examiner is cordially invited to call Applicant's undersigned attorney at (404) 653-6559.


Applicant respectfully submits that the Office Action contains a number of assertions concerning the related art and the claims. Regardless of whether any of those assertions have been addressed specifically herein, Applicant respectfully declines to automatically subscribe to them.

Please grant any extensions of time required to enter this Amendment and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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Dated: April 20, 2010

By:   
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